

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

AIADVERTISING, INC.,

Plaintiff,

v.

Case No. SA-23-CV-01227-JKP

ITALEAU, INC.,

Defendant.

**ORDER ACCEPTING REPORT AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is United States Magistrate Judge Elizabeth S. Chestney's Report and Recommendation recommending this case be dismissed for want of prosecution. *See* ECF No. 10. No party filed an objection to the Magistrate Judge's Report and Recommendation, and the time for doing so expired.

Any party who seeks review of all or a portion of a Magistrate Judge's Report and Recommendation must serve and file specific written objections within fourteen days after being served with a copy. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(2). If a party does not timely object to all or a portion of a Magistrate Judge's Report and Recommendation, the District Court will review the unobjected-to proposed findings and recommendations to determine whether they are clearly erroneous or contrary to law. *Johnson v. Sw. Research Inst.*, 210 F. Supp.3d 863, 864 (W.D. Tex. 2016) (citing *U.S. v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.) (per curiam), *cert. denied*, 492 U.S. 918 (1989)).¹


¹ While Rule 72(b) does not facially require any review in the absence of a specific objection, the advisory committee notes following its 1983 adoption state: "When no timely objection is filed, the court need only satisfy

Court records reflect Judge Chestney issued the Report and Recommendation on February 5, 2024. *See ECF No. 10*. No party filed objections or a Motion for Extension of Time by the deadline of February 19, 2024.

Consistent with § 636(b)(1)(C) and Rule 72(b)(2), the Court reviewed the subject Report and Recommendation entered by Judge Chestney for clear error. This Court finds no such clear error. Accordingly, the Court **ACCEPTS** Magistrate Judge Chestney's findings and recommendation and **ADOPTS** the Report and Recommendation.

This case is **DISMISSED** for want of prosecution. The Clerk of Court is instructed to **CLOSE THIS CASE**.

It is so ORDERED.
SIGNED this 10th day of April, 2024.



JASON PULLIAM
UNITED STATES DISTRICT JUDGE

itself that there is no clear error on the face of the record in order to accept the recommendation.” Further, failure to object shall also bar appellate review of those portions of the Magistrate Judge’s Report and Recommendation that were ultimately accepted by the district court, unless the party demonstrates plain error. *Thomas v. Arn*, 474 U.S. 140, 150–53 (1985); *United States v. Wilson*, 864 F.2d at 1221.